IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

CRP.No. 678 of 2007(B)

AGAINST THE ORDER DATED 01/02/2007 IN IA 7322/06 & 4111/99. IN OS.1004/1999 of I ADDL.M.C.,ERNAKULAM

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REVN. PETITIONER: THIRD PARTY:

THOMAS, S/O.VARGHESE, ALIAS VARKEY,
AGED 52, ITTANTHOTTIL HOUSE, PERUMBILLY P.O.,
MULANTHURUTHY, DO VILLAGE, KANAYANNOOR TALUK.

BY ADV. SRI.C.K.PAVITHRAN

RESPONDENTS: PLAINTIFF AND DEFENDANTS:
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1. KAUMA PAUL, S/O.PAULOSE, VENDRAPPILLIL,
PERUMPILLY P.O., MULANTHURUTHY VILLAGE,
KANAYANNOOR TALUK.

2. SOMAN, S/O.GOPALAKRISHNA PILLAI,
CHANDANAKUNNEL HOUSE, PERUMPILLY P.O.,
MULANTHURUTHY VILLAGE, KANAYANNOOR TALUK.

3. VALSALA SOMAN, W/O.SOMAN,
DO, DO, DO.

THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION ON 28/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.Krishnan, J.

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C.R.P.No.678 of 2007

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Dated this the 28th day of September, 2007.

ORDER

This revision petition is preferred against the order of the Munsiff, Ernakulam and the prayer is to set aside the order in I.A.No.7322 of 2006 in I.A.No.4111 of 1999 in O.S.No.1004 of 1999. The Original Suit as well as the First Appeal were dismissed and a Second Appeal was pending before this Court as R.S.A.No.797 of 2004. I am informed that the Second Appeal also has been dismissed on 24.9.2007.

2. It is the imperative duty of the court to inform the Sub Registrar's Office concerned regarding the lifting of the attachment when a suit is dismissed. There is a statutory duty cast upon the court. So irrespective of any petition filed by any of the parties, the court is bound to do so the same. Therefore, on production of copy of the judgment in R.S.No.797 of 2004 by the revision petitioner, the court is directed to intimate the concerned Sub Registrar's Office regarding the lifting of the attachment.

Civil Revision Petition is disposed of accordingly.

M.N.Krishnan,
Judge.

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